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4 DAVID SHU,  
5 Plaintiff,  
6 v.  
7  
8 UNITED STATES OF AMERICA, et al.,  
9 Defendants.  
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12 Case No. 20-cv-06536-HSG  
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**ORDER DENYING MOTION FOR  
LEAVE TO FILE A MOTION FOR  
RECONSIDERATION**

15 Re: Dkt. No. 11  
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18 On January 2, 2021, Plaintiff requested leave to file a motion for reconsideration of the  
19 Court's order denying the motion to proceed *in forma pauperis*. Dkt. No. 90 ("Mot.").  
20 Specifically, Plaintiff requests reconsideration as to the breach of contract claim and breach of  
21 duty of fair representation claim under Civil Local Rule 7-9. *See id.* at 1. Civil Local Rule 7-9  
22 allows a party to seek reconsideration on the following bases:

23 (1) That at the time of the motion for leave, a material difference in  
24 fact or law exists from that which was presented to the Court before  
25 entry of the interlocutory order for which reconsideration is sought.  
26 The party also must show that in the exercise of reasonable diligence  
27 the party applying for reconsideration did not know such fact or law  
28 at the time of the interlocutory order; or  
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30 (2) The emergence of new material facts or a change of law occurring  
31 after the time of such order; or  
32  
33 (3) A manifest failure by the Court to consider material facts or  
34 dispositive legal arguments which were presented to the Court before  
35 such interlocutory order.

36 Civil L.R. 7-9(b).  
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1       The Court has reviewed the record and Plaintiffs' arguments and finds no basis for  
2 reconsideration. Accordingly, the motion is **DENIED**.

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4       **IT IS SO ORDERED.**

5       Dated: 1/5/2021

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7       HAYWOOD S. GILLIAM, JR.  
United States District Judge

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United States District Court  
Northern District of California